



PRESS RELEASE

State of Iowa Citizens' Aide/Ombudsman

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Citizens' Aide/Ombudsman
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Turning a Blind Eye: Investigation Into Misconduct by the City of Stuart's Street Superintendent, and How City Leaders Responded to It

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DES MOINES – In a report released today, the State Ombudsman concluded that the City of Stuart's street superintendent committed official misconduct when he repeatedly used city equipment at his home despite admonitions from city officials and the frequent complaints of citizens. In two documented instances, the street superintendent was paid overtime wages to clear his own driveway with a city plow.

Later, during heavy snow storms in 2007, the street superintendent, Bob Airhart, issued a sidewalk citation to a citizen who reported his improprieties to city officials. The Ombudsman determined that Airhart issued the citation in retribution for the citizen's complaints.

State law generally prohibits public employees from using public property for personal gain. The Ombudsman will refer his investigation to the Adair County Attorney's office for its consideration of prosecution.

The Ombudsman also determined that Stuart's mayor, City Council, and city administrator knew about Airhart's actions but failed to adequately address them. This occurred despite a city policy that forbade the personal use of city equipment.

The Ombudsman's 22-page report, entitled "Turning a Blind Eye," made six recommendations to Stuart city leaders to tighten up policies and practices. The city has agreed to adopt all six recommendations.

"This was a classic case where a person entrusted to serve the public abused his power and discretion," said Ombudsman Bill Angrick. "Unfortunately, the city did little to hold the employee accountable for his actions, even as they criticized his actions."

“Iowa government must send the message to citizens that public employees’ abuse of the public trust will not be tolerated, nor will the retributive targeting of well-intentioned citizen-whistleblowers.”

The Ombudsman’s report was transmitted to the Governor and Iowa General Assembly and is available online to the media and public. Electronic copies of Angrick’s report are available at the Ombudsman’s website at www.legis.state.ia.us/ombudsman.

The Office of Citizens’ Aide/Ombudsman investigates the administrative actions of most state and local government agencies in Iowa, in response to complaints or on his own motion. The Ombudsman may also help people effectively raise their concerns to government agencies or understand why an action was taken.

Iowans can contact the Ombudsman at (515) 281-3592. Callers living outside the Des Moines area can call toll-free at (888) 426-6283. The office has a TTY that can be reached using the toll-free number, or at (515) 242-5065. The office e-mail address is ombudsman@legis.state.ia.us.